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TO:

Name: Mail Stop AMENDMENT
Group Art Unit 3772/Examiner Michael Brown

Firm: U.S. Patent & Trademark Office

Fax No.: 571-273-8300

Subject: U.S. Patent Application No. 10/740,747

Gary Karlin Michelson

Filed: December 19, 2003

**IMPLANT WITH LOCKING THREAD
CONFIGURATION FOR INSERTION
BETWEEN BONE STRUCTURES**

Attorney Docket No. 102.0001-12000

Customer No. 22882

Confirmation No.: 4978

FROM:

Name: Thomas H. Martin, Esq.

Phone No.: 330-877-2277


No. of Pages (including this): 7

Date: August 28, 2007

Confirmation Copy to Follow: NO

Message:**CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8**

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Sandra L. Blackmon

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FORM PTO-1083

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PATENT
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Customer Number 22882**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

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Examiner: Michael Brown

Mail Stop AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Transmitted herewith is a Reply to the Office Action of August 21, 2007 in the above-identified application.

- ☒ No additional fee is required.
- ☐ Applicant hereby requests a ***-month extension of time to respond to the above office action.
- ☐ The total amount of \$_____ to cover the above fees is to be charged to Deposit Account No. 50-3726.
- ☒ The Commissioner is hereby authorized to charge any deficiencies of fees associated with this communication or credit any overpayment to Deposit Account No. 50-3726. **A copy of this sheet is enclosed.**
- ☒ Any filing fees under 37 C.F.R. § 1.16 for the presentation of extra claims
- ☒ Any patent application processing fees under 37 C.F.R. § 1.17

Respectfully submitted,
MARTIN & FERRARO LLP

Date: August 28, 2007

By: 
Thomas H. Martin
Registration No. 34,3831557 Lake O'Pines Street, NE
Hartville, Ohio 44632
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Commissioner for Patents
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Sir:

REPLY TO OFFICE ACTION

In reply to the Office Action of August 21, 2007, the following remarks are submitted:

As an Initial matter, Applicant notes that all three (3) Requests for Interference have been withdrawn or are moot in light of amendments to or cancellations of the claims. The First Request for Interference filed December 19, 2003, given the cancellation of copied claim 22 from U.S. Application No. 10/222,571 (corresponding to claim 1 of the present application), and amendments to claim 1, was withdrawn on January 26, 2006. Furthermore, given the cancellation of claims 2-5 (subject of the Second Request for Interference) and 6-9 (subject of the Third Request for Interference), the Second and Third Requests for Interference are moot. As such, Applicant submits that the Examiner no longer needs to consider these three (3) Request for Interference.

As discussed below, the present Office Action includes objections to the specification and rejections of the claims under 35 U.S.C. § 112, first and second paragraphs. As such, Applicant notes that the Examiner's previous prior art rejections of the claims have not been repeated in the present Office Action. Accordingly, Applicant

Reply to OA 08-28-07.doc